

**OCTOBER 10, 2011**  
**ONTARIO TOWN BOARD MEETING AND PUBLIC HEARING**

A regular meeting of the Ontario Town Board was called to order by Supervisor Kelsch at 7:00 p.m. in the Ontario Town Hall. Present were Supervisor Robert Kelsch, Council members: Lori Eaton-Smith, Frank Robusto and Michael Melino, Superintendent of Highways Jerry Santangelo, Building Inspector/Code Enforcement Officer Edward Collins, Superintendent of Water Utilities Rodney Peets, Director of Recreation & Parks William Riddell, Accountant Paul Liess, Attorney for the Town Alan Knauf and Town Clerk Debra DeMinck.

Absent: Council member Jason Ruffell, Sole Assessor Christine Luteyn, Library Director Sandra Hylen and Dog Control Officer Mark Plyter,

26 residents and visitors were present at portions of the meeting.

Mr. Melino led the Pledge of Allegiance.

**Approval of the Agenda** – A motion was made by Mr. Melino, seconded by Mr. Robusto, to **approve the agenda with the addition of accepting a quote for grinding brush at the highway department under new business.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

The Legal Notice of Public Hearing to consider proposed PUD modifications for Furnaceville Vineyards Section 1; to authorize the increase in size or square footage of any building by more than 10% for 2078 Bear Creek Drive, to allow for a three season room addition was posted on the Town Clerk's bulletin board and published in the Wayne County Mail on October 6, 2011.

Mr. Kelsch opened a public hearing to consider PUD modifications at 7:03 p.m. and asked for questions or comments.

Mr. Morse, the general contractor for the project, made the comment that the three season room would be built to code.

A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **close the public hearing at 7:07 p.m.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Comments from the Public** – Mr. Switzer feels the \$20,000 to \$25,000 reduction in the Union Hill Fire Department budget request is excessive and their budget should not be reduced.

**Approval of Minutes** - Mr. Kelsch asked for approval of the minutes of the September 19, 2011 Town Board meeting and the minutes of the October 3, 2011 Town Board workshop meeting. A motion was made by Mr. Melino, seconded by Mrs. Smith, to **approve the minutes as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Correspondence** – None

**Attorney for the Town Report** – Mr. Knauf stated he would like to meet with Supervisor Kelsch to review Town Code and see if there are any outdated laws. He would also like the board to start thinking of the Ginna Pilot, which is several years away.

The Tractor Supply tax certiorari case remains pending.

**Department Head Reports -**

**Supervisor's Financial Statement** – A motion was made by Mr. Kelsch, seconded by Mr. Melino, to **accept the September 2011 Supervisor's Financial Statement as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Superintendent of Water Utilities** – A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **accept the September 2011 report as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Superintendent of Highways** – A motion was made by Mr. Kelsch, seconded by Mr. Robusto, to **accept the September 2011 report as presented.** 4 Ayes 0 Nays MOTION CARRIED

**Building Inspector/Code Enforcement Officer** – A motion was made by Mr. Kelsch, seconded by Mrs. Smith, to **accept the September 2011 report as presented.** 4 Ayes 0 Nays MOTION CARRIED

**Sole Assessor** – A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **accept the September 2011 report as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Ontario Public Library** - A motion was made by Mrs. Smith, seconded by Mr. Melino, to **accept the September 2011 Library report as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Ontario Town Court** – A motion was made by Mr. Melino, seconded by Mrs. Smith, to **receive the September 2011 report as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Dog Control Officer** – No report

**Economic Development Department** – No Report

**Director of Recreation & Parks** – A motion was made by Mrs. Smith, seconded by Mr. Robusto, to **accept the September 2011 report as presented.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Watershed Management Advisory Council** – No meeting/No report

Supervisor Kelsch gave a presentation on the 2% tax cap. He gave an overview of the budget and explained that there are still unresolved questions around the implementation of the tax cap. The Town Board is committed to staying within the 2% tax cap.

**New Business** – A motion was made by Mr. Kelsch, seconded by Mrs. Smith, to **approve the application of Edna Neyhart to construct a 240 square foot sunroom addition with a gable roof off the back of an existing residence at 2078 Bear Creek Drive. This is a Type 11 action under SEQRA and is conditional upon receiving the Homeowners Association approval in writing.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Kelsch, seconded by Mr. Melino, to **adopt a**

**RESOLUTION SETTING DATE FOR A PUBLIC HEARING ON NYS OFFICE OF  
COMMUNITY RENEWAL SMALL CITIES COMMUNITY DEVELOPMENT  
BLOCK GRANT APPLICATION ON BEHALF OF OPTIMAX SYSTEMS, INC.**

Whereas, two (2) Public Hearings are necessary to fulfill citizen participation requirements of the Grant Application process for the Office of Community Renewal Small Cities Community Development Block Grant Application; and

Whereas, the first Public Hearing was held on May 23, 2011; now, therefore, be it

RESOLVED, that a Public Hearing shall be held on October 24, 2011 at 7:35 PM at the Town of Ontario Offices, 1850 Ridge Road, Ontario, NY to discuss the Town's intention to submit an application for the Fiscal Year 2011 Community Development Block Grant (CDBG) under the New York State Office of Community Renewal's Small Cities Economic Development Program. The application will be on behalf of Optimax Systems, Inc. in the amount of \$250,000. The hearing will give citizens and potential beneficiaries of the project an opportunity to consider the potential impacts and benefits of the proposed project and comment on it.

4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

A motion was made by Mr. Robusto, seconded by Mrs. Smith, to **accept the lowest responsible quote from Empire Enterprises, Inc., 1575 Welcher Road, Newark, NY 14513 for grinding the brush pile at the Highway Department for an amount not to exceed \$7,690.00 as recommended by the Superintendent of Water Utilities.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Budget Transfers/Adjustments** - A motion was made by Mr. Kelsch, seconded by Mrs. Smith, to **approve the following GENERAL Fund budget transfers:**

Transfer \$3,566.00 from A3310.4 (Traffic Control) to A5132.4 (Garage)

Transfer \$2,370.61 from A1910.4 (Unallocated Insurance) to A1220.4 (Supervisor Contractual)

Transfer \$9,394.50 from A1990.4 (Contingency Account) to A1320.4 (Auditor Contractual)

Transfer \$564.55 from A1620.4 Building-Contractual Services to A1620.1 (Building Personal Services)

Transfer \$7,627.75 from A1650.4 (Central Communication-Contractual) to A1650.1 (IT Coordinator)

Transfer \$1,200.00 from A1920.4 (Municipal Association Dues) & \$424.50 from A1910.4 Unallocated Insurance to A9050.8 (Unemployment Insurance)

Transfer \$498.11 from A1910.4 (Unallocated Insurance) to A9055.8 (Disability Insurance)

4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Appointments/Resignations** –A motion was made by Mrs. Smith, seconded by Mr. Melino, to **appoint Lisa Higgins as Fitness Center/Birthday Party Attendant starting September 28, 2011 at \$8.00 an hour with no benefits as recommended by the Director of Parks and Recreation.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

**Reports by Town Board Members** – Mrs. Smith announced the Fall Harvest event this Saturday, October 22<sup>nd</sup> at Casey Park from 2 pm until 5 pm. She urged everyone to attend.

Supervisor Kelsch reminded the Board that there are two openings on the Board of Assessment Review. The Town Clerk will send letters to incumbents on all the advisory boards reminding them that their term is expiring at the end of the year and she will put an ad in the paper for all interested people to apply.

**Approval of Claims** - A motion was made by Mrs. Smith, seconded by Mr. Robusto, to **approve the abstract of claims for October 10, 2011 including vouchers #2490 through #2623 (2527-2534, 2582 used by the accounting department) with a grand total of \$100,601.22 and to authorize the Supervisor to issue payments for same.** 4 Ayes 0 Nays MOTION CARRIED

**Workshop** – Continue discussion on 2012 budget.

**Comments from the Public** – Mr. Doyle wanted to know when their Memorial Point plaque was going to be placed at the point. Mr. Riddell has requested, numerous times, that the plaques be returned from the gentleman who has them and stated he is having difficulty locating someone else who can work with the stone.

Ms. Nadia Niniowsky commended the board with finding solutions to keep the tax rate down.

Mr. Richard Vanhoover asked if anything more had been done regarding employee cell phone use and taking town vehicles home. Mr. Robusto responded that he has been out of town for several days and hasn't had a chance to look into it further.

**Adjourn** - A motion was made by Mr. Melino, seconded by Mrs. Smith, to **adjourn at 8:56 p.m.** 4 Ayes 0 Nays 1 Absent (Ruffell) MOTION CARRIED

Respectfully submitted,

Debra DeMinck  
Ontario Town Clerk

The above minutes will become official upon approval of the town board.